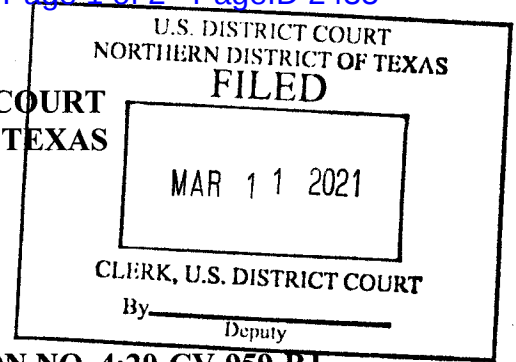


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



NEXTGEAR CAPITAL, INC., ET AL.,
Plaintiff.

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§

VS.

DRUIEN, INC.,
Defendant.

CIVIL ACTION NO. 4:20-CV-959-BJ

**ORDER EXTENDING DEADLINES TO NAME A MEDIATOR
AND PARTICIPATE IN A FORMAL SETTLEMENT CONFERENCE**

On March 3, 2021, the Court entered an Order to Show Cause because the parties had not agreed on an impartial mediator by March 1, 2021, as required by the Court's November 24, 2020 Order of Referral for Mediation in May 2021. On March 5, 2021, Plaintiff filed a response to the Court's Order to Show Cause. In addition, on March 5, 2021, Plaintiff also filed a Settlement Report setting forth the reasons why the parties had not conducted an in-person settlement conference no later than February 26, 2021, as required by the Court's November 24, 2020 Scheduling Order. After reviewing the submissions filed by Plaintiff, the Court concludes that it will grant the parties additional time to: (1) name a mediator and provide the information required in the November 24, 2020 Order of Referral for Mediation in May 2021 and (2) participate in a formal settlement conference as required by the Court's November 24, 2020 Scheduling Order.

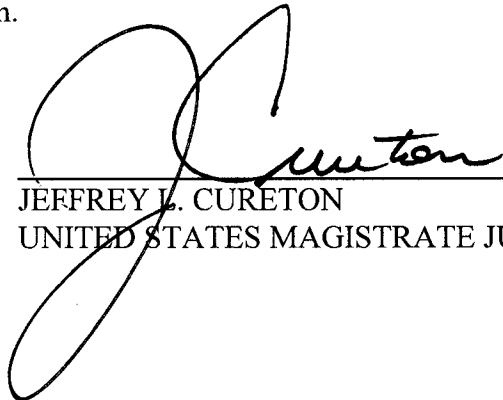
Based on the foregoing, it is **ORDERED** that the parties shall, **no later than March 23, 2021**, agree on a mediation date and an impartial mediator, and shall notify the Court in writing as to the mediator's name, address, telephone number, and facsimile number. If the parties are unable to agree on an impartial mediator, the Court will appoint one at any party's written request.

It is further **ORDERED** that the parties participate in a formal settlement conference **no later than April 30, 2021**, at a time and place to be agreed upon by the parties, at which the parties and their

counsel shall appear in person to discuss settlement of this case (corporations, partnerships, associations, etc, shall participate through a representative who shall have authority to bargain in good faith). **No later than seven (7) days after the date of the settlement conference**, each party shall file a brief written report as set forth in the Court's November 24, 2020 Scheduling Order.

Failure to comply timely with this order may result in appropriate sanctions, including entry of dismissal or default judgment without further notice. The Court will not tolerate any further delays from Defendants' and/or counsel in meeting the deadlines set forth in the Court's November 24, 2020 Scheduling Order and November 24, 2020 Order of Referral for Mediation in May 2021. In addition, the Court reminds pro se Defendant Michael Vernon Garrison that, pursuant to Local Rule 83.14, pro se parties "must read and follow the local civil rules of this court and the Federal Rules of Civil Procedure." As part of these rules, Garrison is required to provide a current address and phone number to the Court and timely update his address and/or phone number if either changes. Failure to do so could result in a default judgment against Garrison.

SIGNED March 11, 2021.



JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE